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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 JOSEPH L. MIZZONI,

16 Plaintiff,

17 vs.

18 STATE OF NEVADA, et al.,

19 Defendants.

20 Case No. 3:15-cv-00499-MMD-WGC

21 **REPORT OF THE OFFICE OF THE  
ATTORNEY GENERAL RE:  
RESULTS OF THE 90-DAY STAY**

22 **NOTE: ONLY THE OFFICE OF THE ATTORNEY GENERAL SHALL FILE THIS FORM.  
THE INMATE PLAINTIFF SHALL NOT FILE THIS FORM**

23 On March 2, 2016, the court issued its screening order stating that it had conducted its screening  
24 pursuant to 28 U.S.C. § 1915A, and that certain specified claims in this case would proceed. The court  
25 ordered the Office of the Attorney General of the State of Nevada to file a report ninety (90) days after  
26 the date of the entry of the court's screening order to indicate the status of the case at the end of the 90-  
27 day stay. By filing this form, the Office of the Attorney General hereby complies.

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## REPORT FORM

[Identify which of the following two situations (identified in bold type) describes the case, and follow the instructions corresponding to the proper statement.]

**Situation One: Mediated Case: The case was assigned to mediation by a court-appointed mediator during the 90-day stay.** [If this statement is accurate, check ONE of the six statements below and fill in any additional information as required, then proceed to the signature bloc.]

A mediation session with a court-appointed mediator was held on \_\_\_\_ and as of this date, the parties have reached a settlement (even if paperwork to memorialize the settlement remains to be completed). (If this box is checked, the parties are on notice that they must SEPARATELY file either a contemporaneous stipulation of dismissal or a motion requesting that the court continue the stay in the case until a specified date upon which they will file a stipulation of dismissal.)

A mediation session with a court-appointed mediator was held on 12/6/2016 and as of this date, the parties have not reached a settlement. The Office of the Attorney General therefore informs the court of its intent to proceed with this action.

No mediation session with a court-appointed mediator was held during the 90-day stay, but the parties have nevertheless settled the case. (If this box is checked, the parties are on notice that they must SEPARATELY file a contemporaneous stipulation of dismissal or a motion requesting that the court continue the stay in this case until a specified date upon which they will file a stipulation of dismissal.)

No mediation session with a court-appointed mediator was held during the 90-day stay, but one is currently scheduled for \_\_\_\_.

No mediation session with a court-appointed mediator was held during the 90-day stay, and as of this date, no date certain has been scheduled for such a session.

None of the above five statements describes the status of this case. Contemporaneously with the filing of this report, the Office of the Attorney General of the State of Nevada is filing a separate document detailing the status of this case.

**Situation Two: Informal Settlement Discussions Case: The case was NOT assigned to mediation with a court-appointed mediator during the 90-day stay; rather, the parties were encouraged to engage in informal settlement negotiations.** [If this statement is accurate, check ONE of the four statements below and fill in any additional information as required, then proceed to the signature bloc.]

The parties engaged in settlement discussions and as of this date, the parties have reached a settlement (even if the paperwork to memorialize the settlement remains to be completed). (If this box is checked, the parties are on notice that they must SEPARATELY file either a contemporaneous stipulation of dismissal or a motion requesting that the court continue the stay in this case until a specified date upon which they will file a stipulation of dismissal.)

The parties engaged in settlement discussions and as of this date, the parties have not reached a settlement. The office of the Attorney General therefore informs the court of its intent to proceed with this action.

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The parties have not engaged in settlement discussions and as of this date, the parties have not reached a settlement. The office of the Attorney General therefore informs the Court of its intent to proceed with this action.

None of the above three statements fully describes the status of this case. Contemporaneously with the filing of this report, the Office of the Attorney General of the State of Nevada is filing a separate document detailing the status of this case.

Submitted this 9<sup>th</sup> day of December, 2016 by:

Attorney Name: Erin L. Albright

y:  
Einfließt Signature

### Signature

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**CERTIFICATE OF SERVICE**

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 9<sup>th</sup> day of December, 2016, I caused to be deposited for mailing a true and correct copy of the foregoing, **REPORT OF THE OFFICE OF THE ATTORNEY GENERAL RE: RESULTS OF THE 90-DAY STAY**, to the following:

Joseph L. Mizzoni #68549  
High Desert State Prison  
P.O. Box 650  
Indian Springs, NV 89070

List of Help  
An employee of the  
Office of the Attorney General